

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
No. 3:24-mc-00167

In re Hendrick Automotive Group

**TESLA, INC.'S MOTION TO
COMPEL HENDRICK
AUTOMOTIVE GROUP'S
COMPLIANCE WITH NON-PARTY
SUBPOENA**

Related Case:
No. 3:23-cv-1145-TLT (N.D. Cal.)

Pursuant to Federal Rules of Civil Procedure 26(b), 34(c), and 45, Tesla, Inc. respectfully moves the Court for an order compelling Hendrick Automotive Group to comply with a non-party subpoena for documents served in *Lambrix v. Tesla, Inc.*, No. 3:23-cv-1145-TLT (N.D. Cal.), a set of consolidated putative antitrust class actions currently pending in the Northern District of California.

As set forth in Tesla's accompanying brief, Tesla properly served the subpoena on September 30, 2024, and provided Hendrick with thirty days to respond. To date, however, Hendrick has failed to respond or even acknowledge receipt.

As a result, and for the reasons more fully described in Tesla's accompanying brief, the Court should enter an order requiring Hendrick to comply with the subpoena by beginning to produce responsive documents within 21 days.

Respectfully submitted this the 17th day of December, 2024.

**WILMER CUTLER PICKERING
HALE AND DORR LLP**

/s/ Ari Holtzblatt

Ari Holtzblatt
(*pro hac vice* forthcoming)
D.C. Bar No. 1009913
2100 Pennsylvania Ave NW
Washington, DC 20037
(202) 663-6000
Ari.Holtzblatt@wilmerhale.com

/s/ David Gringer

David Gringer
(*pro hac vice* forthcoming)
N.Y. Bar No. 4879029
/s/ Andres C. Salinas
Andres C. Salinas
(*pro hac vice* forthcoming)
N.Y. Bar No. 6067755
7 World Trade Center
250 Greenwich Street
New York, NY 10007
(212) 230-8800
David.Gringer@wilmerhale.com
Andres.Salinas@wilmerhale.com

Counsel for Tesla, Inc.

POYNER SPRUILL LLP

/s/ John Michael Durnovich

John Michael ("J.M.") Durnovich
N.C. State Bar No. 47715
jdurnovich@poynerspruill.com
301 South College St., Ste. 2900
Charlotte, NC 28202
(704) 342-5250

/s/ Emily M. Meeker

Emily M. Meeker
N.C. State Bar No. 53227
emeeker@poynerspruill.com
Post Office Box 1801
Raleigh, NC 27602-1801
(919) 783-6400

Local Counsel for Tesla, Inc.

CERTIFICATE OF SERVICE

I certify that I have electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send notification of filing to all counsel and parties of record.

This the 17th day of December, 2024.

/s/ John Michael Durnovich
John Michael (“J.M.”) Durnovich